



Cynulliad Cenedlaethol Cymru **The National Assembly for Wales**

Y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol **The Constitutional and Legislative Affairs Committee**

Dydd Llun, 2 Rhagfyr 2013
Monday, 2 December 2013

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Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn ogystal, cynhwysir
trawsgriwiad o'r cyfieithu ar y pryd.

The proceedings are reported in the language in which they were spoken in the committee. In
addition, a transcription of the simultaneous interpretation is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Suzy Davies	Ceidwadwyr Cymreig Welsh Conservatives
Julie James	Llafur Labour
David Melding	Y Dirprwy Lywydd a Chadeirydd y Pwyllgor The Deputy Presiding Officer and Committee Chair
Eluned Parrott	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Simon Thomas	Plaid Cymru The Party of Wales

Eraill yn bresennol
Others in attendance

Carwyn Jones	Aelod Cynulliad, Llafur (Prif Weinidog Cymru) Assembly Member, Labour (The First Minister of Wales)
Dr Robert Parry	Pennaeth Materion Ewropeaidd, Llywodraeth Cymru Head of European Affairs, Welsh Government

Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol
National Assembly for Wales officials in attendance

Gwyn Griffiths	Uwch-gynghorydd Cyfreithiol Senior Legal Adviser
Ruth Hatton	Dirprwy Glerc Deputy Clerk
Dr Alys Thomas	Y Gwasanaeth Ymchwil Research Service
Gareth Williams	Clerc Clerk

Dechreuodd y cyfarfod am 13:31.
The meeting began at 13:31.

Cyflwyniad, Ymddiheuriadau, Dirprwyon a Datganiadau o Fuddiant
Introduction, Apologies, Substitutions and Declarations of Interest

[1] **David Melding:** Good afternoon, everyone, and welcome to this afternoon's meeting of the Constitutional and Legislative Affairs Committee. Let me just go through the usual housekeeping announcements. We do not expect a routine fire drill, so, if we hear the fire alarm, please follow the instructions of the ushers, who will help us leave the building safely. Please switch off all electronic equipment, as they will interfere with our proceedings, even on silent. These proceedings will be conducted in Welsh and English. When Welsh is spoken, there is a translation on channel 1, and proceedings can be amplified on channel 0, if you are hard of hearing.

13:32

**Tystiolaeth Mewn Perthynas â'r Ymchwiliad i Rôl Cymru ym Mhroses yr UE o
Wneud Penderfyniadau**
**Evidence in Relation to the Inquiry into Wales's role in the EU Decision-making
Process**

[2] **David Melding:** I am delighted to welcome the First Minister, the Right Honourable Carwyn Jones, to this meeting. He is accompanied by an official, namely Dr Robert Parry, the head of European affairs. First Minister, you are very welcome this afternoon. I am going to ask the first question, which is really just to set a general point in terms of your own experience in European Union matters. How have you felt when you have participated in the Council of Ministers?

[3] **The First Minister (Carwyn Jones):** It has been some time since I attended the Council of Ministers. I attended as a portfolio Minister, particularly in my role as, first, the Minister with responsibility for rural affairs, and then as the Minister with responsibility for the environment and rural affairs. It was certainly useful to attend the Council of Ministers; more often than not, it was possible to sit behind the UK delegation, and to observe at first hand what was happening. Sometimes, I could observe it via the *salle d'écoute*, as they call it in Brussels, which is a chamber that provides a feed of proceedings at council. However, what was more important than either of those two things was the fact that I was able to feed in, in terms of the UK's position, as it developed during the course of the Council of Ministers. It was quite normal, for example, in the days when I was in charge of the environment and rural affairs, for the UK Minister to come out and consult with the devolved administrations with regard to what the UK's position should be.

[4] **David Melding:** Perhaps reflecting on those earlier experiences when you were a portfolio Minister, you then took the whole issue forward as First Minister—that is coming up to two years ago now—and termed this 'the Bridgend question', where a lot of domestic issues that are devolved to Wales, Scotland and Northern Ireland also have European competencies attached to them, and this business of a UK line being sometimes distinct from a line that any one of the units would have followed within the United Kingdom. Do you still see the relationship in those terms? Does the Bridgend question press as much as it used to?

[5] **The First Minister:** I waste no time in plugging my own constituency, Chair. There can only be one person occupying the chair as far as the UK is concerned at the Council of Ministers. What is essential is that there is a mechanism to get an agreed line beforehand. My experience as a portfolio Minister in the last decade was that we would meet every month, as Ministers for rural affairs, and do just that. That has been superseded, to some extent, by the joint ministerial council Europe. The objective of JMC Europe is to agree that line, so that the UK does not agree something that is not accepted by the devolved administrations. For example, if we look at agriculture, in reality, almost everything in agriculture is devolved. It is impossible for the Department for Environment, Food and Rural Affairs to represent the whole of the UK in those circumstances, and, therefore, it is very important that there is an agreed line.

[6] Nevertheless, at JMC Europe, that has been, I understand, successful in terms of getting agreed lines before the UK settles its final position. There will be occasions, of course, when the Welsh Government and, indeed, the Scots and Northern Ireland, will lobby separately—in fact, it happens quite often—to the UK Government and put forward a different position with regard to a particular issue at any one time. So, although we do not actively try to undermine the UK's position on any particular issue, it is accepted that we will have a different view on certain things and we will lobby accordingly from time to time.

[7] **David Melding:** From that, I sense that JMC Europe has now shown itself to be a

fairly robust institution. Has that been strengthened by the new memorandum of understanding, which says that the UK Government will look very favourably on the devolved administrations when they want to participate at council?

[8] **The First Minister:** Time will tell. It is early days yet, since that memorandum was agreed. In many ways, it is a formalising of what already existed. I cannot remember being refused attendance at the Council of Ministers when I was a portfolio Minister, at any time. Nevertheless, it is important to formalise that relationship. It is in the interest of the UK, of course, to be able to include the devolved administrations as much as possible in order to not have the devolved administrations complaining from the outside, I suppose. There has not really been a problem over the years, and the memorandum simply formalises what has been practice for some time.

[9] **David Melding:** Simon Thomas wants to develop this point in a supplementary question.

[10] **Simon Thomas:** Roeddwn i'n edrych ar adroddiad Pwyllgor Craffu Ewropeaidd San Steffan—y pwyllgor sy'n cael ei gadeirio gan Bill Cash—a ddaeth mas tua phythefnos yn ôl, ac roedd hwnnw, yn ei argymhellion, yn cymeradwyo gosodiad y Prif Weinidog—a dyfynaf yn Saesneg—yn ei araith Bloomberg, pan ddywedodd:

Simon Thomas: I was looking at the report of the European Scrutiny Committee in Westminster—the committee that is chaired by Bill Cash—which came out about a fortnight ago and which, in its recommendations, endorsed the Prime Minister's statement in his Bloomberg speech, when he said:

[11] 'It is national parliaments, which are, and will remain, the true source of real democratic legitimacy and accountability in the EU'.

[12] Dyna safbwynt David Cameron, a gafodd ei gymeradwyo gan y pwyllgor Ewropeaidd. A ydych chi'n cytuno â'r safbwynt hwnnw? Os yw'r safbwynt hwnnw yn dal yn wir ar lefel Brydeinig, ym mha ffordd y mae cwestiwn Pen-y-bont ar Ogwr yn gallu cydweithio yn y cyd-destun hwnnw? Yn Senedd Cymru yma, rydym ni'n craffu arnoch chi, fel y Prif Weinidog, ac ar eich Gweinidogion, sy'n cynrychioli Cymru yn y trafodaethau hyn, ond mae tueddiad arall yn symud tuag at y syniad mai dim ond Senedd Prydain Fawr sy'n cael craffu ar Weinidogion.

That was the point of view of David Cameron and it was endorsed by that scrutiny committee. Do you agree with that point of view? If that view is still true on a British level, in what way can the Bridgend question operate in that context? Here in Wales's Senedd, we scrutinise you as the First Minister and those Ministers who represent Wales in these discussions, but there is a propensity towards the idea that only the British Parliament should be allowed to scrutinise Ministers.

[13] **Y Prif Weinidog:** Nid wyf yn cydfynd â'r hyn sydd wedi cael ei ddweud. Mae honno'n ffordd Lundeiniol—os yw hwnnw'n air Cymraeg—o ystyried yr holl beth. Mae'n rhaid inni sylweddoli bod llawer o bethau Ewropeaidd wedi cael eu datganoli i Gymru, heb unrhyw ddylanwad gan Llywodraeth y Deyrnas Unedig. Mae hynny'n wir yn achos amaeth, yn enwedig. Nid wyf yn cytuno taw dim ond yn San Steffan y mae'r grym ynglŷn â'r dyfodol—

The First Minister: I do not agree with what has been said. That is a London-centric way of considering it. We must acknowledge that many European issues have been devolved to Wales without any influence by the UK Government. That is especially true in terms of agriculture. I do not agree that it is only in Westminster that the power lies in relation to the future—

- [14] **Simon Thomas:** A'r atebolrwydd. **Simon Thomas:** And the accountability.
- [15] **Y Prif Weinidog:** A'r atebolrwydd. **The First Minister:** And the accountability. Rwyf wedi dweud sawl gwaith bod sawl canolfan o atebolrwydd democrataidd yn awr yn y Deyrnas Unedig, ac mae hynny'n wir ynglŷn â'r berthynas ag Ewrop. I have said several times that there are several centres of democratic accountability in the United Kingdom, and that is true in relation to the relationship with Europe.
- [16] **Simon Thomas:** Down yn ôl at rai o'r cwestiynau hynny, efallai. Diolch. **Simon Thomas:** We will come back to some of those questions later on. Thank you.
- [17] **David Melding:** On the JMCE, as I think it is referred to, you were cautious in responding to my earlier question, but I do not think that you said anything that would lead us to view the JMCE as not being, potentially, the forum in which these things could be discussed. If the JMCE is working well, could it address most of what you termed, or encapsulated as, the Bridgend question?
- [18] **The First Minister:** Yes, it can, with a degree of goodwill among all the parties. I have not been to a JMCE for three years, I suspect, because the attendance now comes from portfolio Ministers rather than from me. However, what I hear from them is that the JMCE is very useful in terms of resolving issues before the UK takes a final line, particularly, but not exclusively, in the field of agriculture.
- [19] **David Melding:** Have you had any chance to discuss with the other First Ministers of the devolved administrations—Scotland and Northern Ireland—whether there is a similar feeling that the JMCE may be on the right tracks but perhaps needs to be made more robust, and that we have to be vigilant about protecting the interests of the devolved administrations in many areas where our powers also have a European dimension?
- [20] **The First Minister:** Nothing has been said to me by Scotland or Northern Ireland in terms of any concerns they may have about JMCE works. The assumption that we must make then is that they are content with the mechanism. It has allowed us, for example, to raise particular questions on issues such as fallen stock, where the Welsh position has been raised, but the system has been working well so far. That is the impression I get.
- [21] **David Melding:** My final question relates to some evidence that we heard from Professor Keating, who suggested that the JMC was all well and good but that there needed to be something on a statutory basis that recognised the rights of devolved Ministers to participate in the council. Do you think that that may be a way forward? Or, would that just be confirming a bad culture, if you need to use statute in that way?
- [22] **The First Minister:** I think that there is a difference between attending the council and participating in the council. The MOU deals with attendance at the council. If the MOU does not work, and if the UK Government begins to refuse devolved administrations the ability to attend the council, a statutory approach will be needed. In terms of participating, the difficulty with that is that the participants are the sovereign member states. This was first raised by the Scots, who wished to have a right to participate in council meetings. Of course, it cannot apply just to Scotland; it would have to apply to Wales and Northern Ireland as well, which would mean, effectively, that there will be four separate voices from the UK. I doubt whether other member states would be content with that, particularly, I suspect, Spain, just to mention one. Nevertheless, there has always been the ability of the UK Government to offer to the devolved administrations the ability to represent the UK and participate as the UK at Council of Ministers meetings. That has happened in the past; not often, but it has happened.
- [23] **David Melding:** That is a subtler approach. For example, in Wales, if we had a

particular concern in one area, we would perhaps give more weight to that in expressing the UK line, which, if it was given from Westminster or Scotland, may not share the intensity of our interest in that particular area. Is that how it would be used?

[24] **The First Minister:** I cannot see how there could be four different voices from the UK around the table because of the way that the Council of Ministers works. It is important to us that the UK properly represents the views of all parts of the UK and not just the view of Whitehall. So far, in the main, I think that has been the case.

[25] **David Melding:** It could be that a Welsh Minister could have a particular expertise.

[26] **The First Minister:** Yes. A Welsh Minister could represent the UK, but that Welsh Minister would be participating as the UK and not as Wales.

[27] **David Melding:** That is a good start. Simon Thomas will now take us through the next set of questions.

[28] **Simon Thomas:** Os cofiaf yn iawn, fe wnaeth Alun Ffred gynrychioli'r Deyrnas Gyfunol ynghylch materion ieithyddol.

Simon Thomas: If I remember correctly, Alun Ffred represented the United Kingdom on language matters.

[29] **Y Prif Weinidog:** Do.

The First Minister: Yes, he did.

[30] **Simon Thomas:** Gan droi at bolisi Llywodraeth Cymru ynghylch y strategaeth Ewropeaidd ac ati, rydych wedi cyhoeddi strategaeth, ac rydym wedi cael copi ohoni. A allwch chi amlinellu sut rydych chi, fel Prif Weinidog, yn gosod amcanion polisi strategol ar draws y Llywodraeth yn y Cabinet?

Simon Thomas: Turning to the Welsh Government's policy in relation to the European strategy, you have published a strategy, and we have received a copy of it. Can you outline how you, as First Minister, set out the strategic policy objectives across Government within the Cabinet?

[31] **Y Prif Weinidog:** Y lle cyntaf i edrych yw ar y manylion sy'n dod o swyddfa'r Llywodraeth ym Mrwsel. Mae'n bwysig dros ben ein bod yn clywed oddi wrthi ynghylch yr hyn sy'n digwydd ym Mrwsel. Mae adroddiad misol yn dod i mi, fel Prif Weinidog, o'r swyddfa honno, ac mae'r adroddiad hwnnw'n dangos beth sydd ar y gweill a beth fydd yn digwydd ym Mrwsel. Felly, rydym yn gallu ymateb i'r hyn sy'n digwydd mewn amser priodol ar ran Cymru. Fodd bynnag, byddai'n rhaid cymryd safbwynt hirdymor ar bethau eraill, er enghraifft, ar y cronfeydd strwythurol. Felly, yr hyn rydym yn tueddu ei wneud yw gweld pa bolisiau sy'n cael eu datblygu gan y Comisiwn ac wedyn sicrhau ein bod ni yng Nghymru â strategaeth er mwyn sicrhau ein bod yn symud ymlaen, gan gofio beth yw cyfeiriad cyffredinol y Comisiwn.

The First Minister: The first place to look is at the details that come from the Government's office in Brussels. It is exceptionally important that we hear from it about the current issues in Brussels. I receive a monthly report, as First Minister, from that office, and that report shows what is happening in Brussels. Therefore, we are able to respond to the current issues in a timely fashion on behalf of Wales. However, there are other things on which we have to take a longer term view, such as structural funds. So, what we tend to do is see which policies are being developed by the Commission and then ensure that we in Wales have a strategy to ensure that we move forward, bearing in mind the general direction of the Commission.

[32] **Simon Thomas:** Roedd hi'n arfer bod yn wir fod y Dirprwy Weinidog â chyfrifoldeb dros faterion amaeth ac

Simon Thomas: It used to be true that the Deputy Minister with responsibility for agricultural and European matters was

Ewropeaidd yn gyfrifol am yr holl rychwant polisi hwnnw, os cofiaf yn iawn. Yn awr, mae'r cyfrifoldeb wedi ei rannu rhwng Alun Davies fel Gweinidog, a'r Gweinidog Cyllid. A oes rheswm dros rannu'r cyfrifoldeb hwnnw?

13:45

[33] **Y Prif Weinidog:** Nid oedd cyfrifoldeb gennyf i dros Ewrop yn gyfan gwbl pan oeddwn yn Weinidog dros yr amgylchedd. Roedd yr atebolrwydd a'r cyfrifoldeb yn gorwedd gyda'r Prif Weinidog bryd hynny, ac nid wyf yn credu bod hynny wedi newid dros y blynyddoedd. O ran y gwahanol Weinidogion, o safbwynt Jane Hutt, mae'n bwysig dros ben bod gennym rywun sy'n gallu cydlynu'r ffordd y bydd y rhaglenni Ewropeaidd yn cael eu darparu yn y dyfodol, o gofio mai hi yw'r Gweinidog Cyllid. O ran pethau sy'n ymwed ag amaeth a'r amgylchedd, mae rôl i Alun Davies, fel y Gweinidog, i ddelio â hynny. O ran y sefyllfa gyllidol, yn enwedig y cronfeydd, mae'n bwysig dros ben mai'r adran cyllid sy'n delio â nhw. Fodd bynnag, mae gen i rôl mewn perthynas ag Ewrop yn gyffredinol, a dyna pam rwyf yma y prynhawn yma.

[34] **Simon Thomas:** Roeddwn i'n meddwl am ddyletswyddau Jane Hutt fel y Gweinidog Cyllid. A oes gan y Llywodraeth amcan arbennig wrth ddynodi'r cyfrifoldeb penodol hwnnw, er enghraifft, fod angen gwella yn y maes hwnnw neu o ran yr hyn a ddywedodd Cymdeithas Llywodraeth Leol Cymru ynglŷn â'r angen i ni barhau i godi ein gêm? A yw hynny'n rhywbeth sy'n cael ei gynrychioli yn y ffordd yr ydych yn dyrannu'r cyfrifoldebau?

[35] **Y Prif Weinidog:** Mae'r Athro Hywel Ceri Jones wedi rhoi tystiolaeth i'r pwyllgor hwn yn dweud ei fod yn gefnogol o'r hyn sydd wedi digwydd o ran rhoi'r cyfrifoldeb i'r Gweinidog Cyllid dros gydlynu'r cyllid sy'n dod o'r Comisiwn a'r Undeb Ewropeaidd. Roedd Cymdeithas Llywodraeth Leol Cymru yn gefnogol o'r hyn yr ydym yn ei wneud yn gyffredinol. Rydym yn gweithio gydag hwy ym Mrwsel a chydag addysg uwch er mwyn creu tîm Cymru, fwy neu lai, ym Mrwsel. Fodd bynnag, mae'n bwysig dros ben nad ydym yn

responsible for the whole range of European policy. Now, it is divided between Alun Davies as Minister, and the Minister for Finance. Is there a reason for sharing that responsibility?

The First Minister: I did not have full responsibility for Europe when I was Minister for the environment. Accountability and responsibility lay with the First Minister at that time, and I do not believe that that has changed over the years. As regards the different Ministers, from the point of view of Jane Hutt, it is exceptionally important that we have somebody who can co-ordinate the way in which the European programmes will be delivered in future, bearing in mind that she is the Minister for Finance. As regards matters relating to agriculture and the environment, it falls to Alun Davies, as the Minister, to deal with those. As regards the financial situation, particularly the funds, it is very important that the finance department deals with those. However, I have a role in relation to Europe in general, and that is why I am here this afternoon.

Simon Thomas: I was just thinking about Jane Hutt's duties as the Minister for Finance. Does the Government have a specific aim in allocating that specific responsibility, for example, that there needs to be improvement in that area or in relation to what the Welsh Local Government Association has said about the need for us to continue to raise our game? Is that something that is represented in the way that you allocate the responsibilities?

The First Minister: Professor Hywel Ceri Jones has given evidence to this committee saying that he is supportive of what has happened in terms of giving responsibilities to the Minister for Finance to co-ordinate the funding that comes from the Commission and the EU. The WLGA is generally supportive of what we are doing. We work with the WLGA in Brussels and with higher education in order to create team Wales, more or less, in Brussels. However, it is exceptionally important that we do not rest on our laurels. I understand that, and that is why we are

eistedd yn ôl. Rwy'n deall hynny, a dyna pam rydym yn edrych ar yr hyn y gallwn ei wneud i ddefnyddio Horizon 2020, er enghraifft, yn y dyfodol, a hefyd rydym yn edrych i sefydlu uned y tu fewn i Swyddfa Cyllid Ewropeaidd Cymru er mwyn helpu'r rhai sydd eisiau rhoi ceisiadau i mewn ar gyfer Horizon 2020.

[36] **Simon Thomas:** A ydych yn cael unrhyw adborth yn ôl, naill ai drwy eich swyddfa chi ym Mrwsel, swyddfa'r Deyrnas Gyfunol, neu wledydd eraill, ynglŷn â phresenoldeb Cymru ym Mrwsel a'r ffordd y mae hynny'n gweithio? Hynny yw, a yw pobl yn dweud wrthy ch eu bod yn clywed eich llais yn glir iawn neu a yw pobl yn dweud wrthy ch ei bod yn anodd gwybod yr hyn sydd ei angen ar Lywodraeth Cymru o bryd i'w gilydd? Beth yw'r *Trip Advisor report*, os hoffwch chi, ar yr hyn yr ydych yn ei wneud ym Mrwsel?

[37] **Y Prif Weinidog:** Pump allan o bump, wrth gwrs, o ran *Trip Advisor*, rwy'n siŵr, er byddai rhai yn dweud yn wahanol. Mae'n bwysig dros ben ein bod yn sylweddoli faint o staff sydd gennym yn y swyddfa ei hun. Mae pobl sy'n arbenigo, er enghraifft, yn y maes economaidd ac ym maes amaeth. Mae gennym bobl sy'n gweithio ar fasnach a buddsoddiad. Eu jobyn nhw yw sicrhau eu bod yn gweithio gyda'r Comisiwn fel bod y Comisiwn yn gwybod barn Cymru. Rwy'n credu ei bod hi'n wir i ddweud, oherwydd y safbwynt gan Lywodraeth y Deyrnas Unedig ar hyn o bryd, sydd yn Ewrosgeptig iawn, neu sy'n cael ei ystyried i fod yn Ewrosgeptig ym Mrwsel—

[38] **Simon Thomas:** Bron yn *nasty*.

[39] **Y Prif Weinidog:** Ni af mor bell â hynny, efallai, ond mae hyn yn golygu bod mwy o bobl eisiau clywed lleisiau Cymru a'r Alban yn awr, er enghraifft, oherwydd ein bod ni, fel Llywodraethau, wedi bod llawer yn fwy cefnogol o'r Undeb Ewropeaidd.

[40] **Simon Thomas:** Yr hyn yr oeddwn i'n meddwl oedd, yn y ddogfen yr ydych chi wedi ei chyhoeddi, mae 14 adran eang iawn o ran meysydd gwaith, ac mae gennych o leiaf dau Weinidog sy'n brysur iawn ym Mrwsel—Alun Davies a Jane Hutt—ac mae gennych chi'r cyfrifoldeb dros y Llywodraeth

looking at what we can do to use Horizon 2020, for example, in future, and we are also looking to establish a unit within the Welsh European Funding Office to help those who wish to submit applications for Horizon 2020.

Simon Thomas: Do you receive any feedback, either through your office in Brussels, the UK office, or other countries, regarding the presence of Wales in Brussels and the way that that operates? That is, do people tell you that they hear your voice very clearly or do they say that it is difficult to know what the Welsh Government needs sometimes? What is the 'Trip Advisor' report, if you like, on what you are doing in Brussels?

The First Minister: Five out of five, of course, in terms of Trip Advisor, I am certain, although others might disagree. It is exceptionally important that we realise how many staff we have in the office itself. There are people who are experts, for example, in the fields of economics and agriculture. We have people who are working on trade and investment. Their job is to ensure that they work with the Commission so that the Commission is aware of the views of Wales. I think that it is true to say, because of the standpoint of the UK Government at the moment, which is very Eurosceptic, or is considered to be Eurosceptic in Brussels—

Simon Thomas: Almost nasty.

The First Minister: I would not go that far, perhaps, but it does mean that more people want to hear the voices of Wales and Scotland now, for example, because we, as Governments, have been much more supportive of the European Union.

Simon Thomas: What I was thinking about was, in the document that you have published, there are 14 very broad areas in terms of the work stream, and you have at least two Ministers who are very busy in Brussels—Alun Davies and Jane Hutt—and you have responsibility for the Government

i gyd. Mae'r dystiolaeth yr ydym wedi ei derbyn yn dweud bod presenoldeb Cymru i'w weld ym Mrwsel ond ei bod hefyd yn bwysig ein bod yn parhau i gael ein clywed yn uchel. Rydych newydd osod y cyd-destun gwleidyddol, sy'n ei gwneud yn fwy pwysig byth, efallai, fod buddiannau Cymru'n cael eu cynrychioli, fel y cafodd ei adlewyrchu yn y ddadl a gawsom yn y Siambr yr wythnos diwethaf. A ydych yn glir iawn bod y gwahanol feysydd polisi, y gwahanol Weinidogion a chithau hefyd yn un llais, a'ch bod yn ddigon unedig a chlr am yr hyn yr ydych chi'n ei drosglwyddo i'r comisiynwyr, yn arbennig?

[41] **Y Prif Weinidog:** Rwy'n credu bod hynny'n wir. Mae'n rhaid inni gofio, wrth gwrs, bod llawer o'r staff ym Mrwsel yn gweithio i adrannau yma yng Nghaerdydd.

[42] **Simon Thomas:** Sut mae hynny'n gweithio, felly? Sut mae'r cysylltiadau, yn benodol, yn gweithio?

[43] **Y Prif Weinidog:** Fel hynny mae wedi bod erioed. Maent yn gweithio i'r adrannau, ond, mae'n rhaid i ni gofio, wrth gwrs, fod pennaeth y swyddfa yn edrych yn gyffredinol ar draws y swyddfa gyfan, a phennaeth y swyddfa sy'n gyfrifol am ddrafftio'r adroddiad misol sy'n dod i mi. Felly—

[44] **Simon Thomas:** A yw'r pennaeth yn atebol i chi, neu i un o'r Gweinidogion eraill?

[45] **Y Prif Weinidog:** I mi. Fi sy'n gyfrifol am y swyddfeydd tramor i gyd, ac mae'r swyddfa ym Mrwsel yn un ohonynt. Felly, i mi mae'r adroddiadau'n dod bob mis ynglŷn â'r hyn sy'n digwydd ym Mrwsel.

[46] **Simon Thomas:** Felly, byddech chi'n dweud eich bod yn ymwybodol o'r ffordd y mae'r swyddfa honno'n ymwneud ag adrannau'r Llywodraeth, a bod gennych drosolwg—er nid yn fanwl, efallai—o sut mae hynny i gyd yn cydweithio y tu fewn i strategaeth y Llywodraeth?

[47] **Y Prif Weinidog:** Rwy'n hapus gyda hynny, a chyda'r adroddiadau yr wyf yn eu cael. Mae'n help hefyd fod gennyf

as a whole. The evidence that we have received states that the presence of Wales is felt in Brussels but that it is also important that it continues to be felt. You have just set out the context that means that it is even more important, perhaps, that the interests of Wales are represented, as was reflected in the debate in the Chamber last week. Are you very clear that these different policy areas, the different Ministers and you too are one voice, and that you are sufficiently united and clear about what you are transferring to the commissioners, especially?

The First Minister: I believe that that is true. We must remember, of course, that many of the staff in Brussels work for departments here in Cardiff.

Simon Thomas: How does that work, therefore? How do the links, specifically, work?

The First Minister: That is how it has always been. They work for the departments, but, we must remember, of course, that the head of the office has a general overview across the whole office, and the head of the office is responsible for drafting the monthly reports that come to me. So—

Simon Thomas: Is the head of office accountable to you, or to one of the other Ministers?

The First Minister: To me. I am responsible for all of the overseas offices, and the Brussels office is one of those. So, the reports come to me every month as regards what is happening in Brussels.

Simon Thomas: So, you would say that you are aware of the way that that office engages with Government departments, and that you have an overview—although perhaps not a detailed one—of how that is co-ordinated within the Government's strategy?

The First Minister: I am happy with that, and I am happy with the reports that I receive. It is also of assistance that I have a

ysgrifennydd preifat sy'n gweithio gyda fi, sef Des Clifford, sydd â phrofiad mawr o weithio yn y swyddfa ym Mrwsel—mae wedi bod yn bennaeth yno. Felly, rwy'n tynnu ar ei brofiad ef ac ar arbenigedd y sawl sydd ym Mrwsel ar hyn o bryd.

private secretary working with me, Des Clifford, who has great experience of working at the Brussels office—he has been the head of that office. So, I draw on his experience and the expertise of those present in Brussels today.

[48] **Simon Thomas:** Sut ydych chi'n defnyddio'r gwaith ym Mrwsel a'r swyddfa i ymwneud â gwledydd eraill yn benodol? Maent yn aelod wladwriaethau, rwy'n derbyn hynny, ond, er enghraifft, fel mae'r llywyddiaeth yn mynd o chwe mis i chwe mis ac mae gwahanol flaenoriaethau'n cael eu gosod ar gyfer y cyfnodau hynny, a ydych yn gallu defnyddio'r swyddfa i fod yn rhan o ddylanwadu ar y broses honno, neu a ydych chi'n ddibynnol ar fynd trwy swyddfa'r Deyrnas Gyfunol er mwyn gwneud hynny?

Simon Thomas: How do you use the work in Brussels and the office to engage directly with other countries? They are member states, I accept that, but, for example, as the presidency rotates from six months to six months and different priorities are set for each of those periods, can you use the office to be a part of influencing that process, or are you dependent upon going through the United Kingdom office in order to do that?

[49] **Y Prif Weinidog:** Nac ydwyf. Rwy'n derbyn briff ar ddechrau llywyddiaeth pob gwlad sy'n dangos yr hyn y maent yn credu fydd barn y wlad honno, a beth fydd cyfeiriad a blaenoriaethau'r wlad honno. Rwy'n edrych i gwrdd â llysgennad y gwledydd hynny'n gynnar yn y llywyddiaeth er mwyn iddynt ystyried barn Cymru.

The First Minister: No. I receive a brief at the beginning of every country's presidency that shows what they think will be the view of the country, and what its direction and priorities will be. I try to meet with the ambassador of those countries early on in the presidency to ensure that they consider Wales's viewpoint.

[50] **Simon Thomas:** Hyd yn hyn, a ydych wedi cael ymateb positif i geisiadau o'r fath gan Lywodraeth Cymru?

Simon Thomas: Up until now, have you received a positive response to such requests from the Welsh Government?

[51] **Y Prif Weinidog:** Ydym, ac rydym wedi cael swyddogion sydd wedi cael eu secondio hefyd—er enghraifft, i Lithwania ar hyn o bryd, ac rydym yn trafod gyda Latfia cael un o'n swyddogion o Gymru i fynd i mewn i weithio i'r llywyddiaeth honno yn ystod y llywyddiaeth.

The First Minister: Yes, and we have had officials being seconded too—for example, to Lithuania at the moment, and we are in discussions with Latvia about having one of our officials from Wales going to work for that presidency during the presidency.

[52] **Simon Thomas:** Y peth olaf gennyf i a hyn o bryd yw cwestiwn ynglŷn â sut rydym ni, fel Aelodau'r Cynulliad, yn gallu craffu ar eich gwaith yn y maes hwn. Rydych wedi dweud bod e'n fwriad gennych i gyhoeddi adroddiad blynyddol ar waith y Llywodraeth o ran yr Undeb Ewropeaidd ac ati. A yw adroddiad o'r fath yn dod yn fuan? A fyddem yn gallu ei weld a'i ddilyn i fyny arno?

Simon Thomas: Finally from me at the moment is a question in relation to how we, as Assembly Members, can scrutinise your work in this regard. You have said that it is your intention to publish an annual report on the work of the Government with regard to the European Union and so on. Is such a report to be published soon? Will we be able to look at it and follow up on it?

[53] **Y Prif Weinidog:** Roedd adroddiad blynyddol y llynedd, ac roedd rhaglen waith eleni. Mae gwaith wedi dechrau ar greu

The First Minister: There was an annual report last year, and there was a work programme this year. Work has started on

adroddiad blynyddol y flwyddyn nesaf—i'r flwyddyn hon, ond bydd ar gael ar ddechrau'r flwyddyn nesaf, ac y bydd rhaglen waith ar gael y flwyddyn nesaf hefyd. Felly, mae'r gwaith wedi dechrau.

drafting next year's annual report—for the current year, but it will be available at the beginning of next year, and a work programme will also be available next year. So, the work has already started.

[54] **Eluned Parrott:** First Minister, if I might ask you a slightly philosophical question, Professor Michael Keating came in earlier in the inquiry and told us that the UK has always looked on EU policy issues as 'a branch of foreign policy'—in his words—even though he believes that these are matters of domestic policy. Do you agree with that statement? If so, how would you see that translating into the way in which the UK approaches its relationship with Europe?

[55] **The First Minister:** I think it is both, if I can sit on the fence on that one. The reality is that there are relationships with other sovereign states, so, in that sense, it is a kind of foreign policy. However, the fact that it is quite often a case of getting agreement for regulations that apply across the entire union makes it domestic. I do not think that it matters that there should be a division in that way. What matters is that there is effectiveness on the part of the UK Government.

[56] The impression that I get at the moment is that the UK Government is seen as somewhat out on a limb with regard to the position that it has taken. It is fair to say that the UK is not alone in its Euroscepticism. There are other countries that are less Europhile than others, that much is true, but the UK seems to be out on a limb at the moment, in terms of where it should be. To me, that is a shame, because I think that the UK can be a very strong driver within the EU, working with other countries as well. I think that the UK's voice would be far more amplified if that approach were taken.

[57] **David Melding:** I will ask Julie James to take us through the next set of questions.

[58] **Julie James:** Good afternoon, First Minister. Just to develop the points that you were making about the joint ministerial committee in Europe, just for a minute, we have had quite a lot of evidence about the informal arrangements, and I think that you are echoing very much what we have heard from the portfolio Ministers about the good working relationships and their ability to influence and so on, but we have also had some evidence from academics and from some Scottish Ministers that that is not consistent across all departments and that some Whitehall departments that, perhaps, are not so used to dealing with devolved matters or taking them into account struggle to deal with that. I just wondered whether you wanted to comment on those observations.

[59] **The First Minister:** There is no doubt that different Whitehall departments differ in terms of their approach to devolution and in terms of their ability to work with devolved administrations. The Home Office, I think, finds it most difficult, as far as Wales is concerned. Others, I think, such as DEFRA, for example, are well used to dealing with the devolved administrations. There is a difference. There are other departments, such as the Ministry of Justice, for example, which, even though it does not deal with us in terms of us being a devolved administration with regard to justice, actually has quite a good relationship with us in terms of its future plans and the discussions that we have with it. However, JMC Europe is an important forum to ensure that the position of the devolved administrations is known on any particular matter, and also, of course, that those matters can be dealt with in that forum rather than on a bilateral basis, because it is just a quicker way of doing things.

[60] **Julie James:** We have heard a lot about whether, with some more complicated areas, particularly where the devolved administrations do not agree themselves—so, you can think about fishing, for example, where our interests and Scottish interests are not as one by any

means—the current informal arrangements work or not, and we have heard a lot about the arrangements and how we talk to each other and so on, or whether there should be a more formal mechanism for doing that. If, for example, the Ministers just do not get on personally, or there is some other personal issue there, perhaps we ought to have a formal way of dealing with that, or a more formal way than we currently have at the moment.

[61] **The First Minister:** In terms of Ministers not getting on, I think that you can look inside the UK Government for that one on occasion. However, given where JMC Europe is at the moment, I do not think that there is a case for changing the mechanism. There are examples of where we have been able, through the JMC, to raise our position. I will give you one example, which is the multi-annual financial framework. As that was raised in the JMC, even though we were dissatisfied with the deal that was reached in February, we did get agreement from the Prime Minister of a 5% reduction in the structural fund allocations across the UK, which was a better outcome for Wales. So, it is possible to negotiate and discuss these things within the framework of JMC Europe.

[62] **Julie James:** In terms of the formal structures, we have also been told quite a bit about the new concordat on co-ordination and so on, and the way that that is supposed to work in terms of upstream opportunities to discuss these things, perhaps before you get to JMC, where you are discussing the final look of the UK line, if you like. Are you satisfied that there are sufficient opportunities for that to happen, and that the concordat is working out well, or is it not making much difference at all?

[63] **The First Minister:** The UK Government produces a twice-yearly analysis of early engagement priorities. I think that the approach is inconsistent, and what we need to see is a more consistent approach from the UK Government in terms of there being a more systematic approach with the devolved administrations. It is not consistent throughout the Government. The same would apply with regard to explanatory memoranda. It depends, quite often, on which department is producing the document in terms of when we get it and how much time we get to respond to it.

[64] **Julie James:** Turning to explanatory memoranda, we had some very good evidence from the UK Minister, David Lidington, last week. He was very clear about how these things work, and he told us quite a lot about the Cabinet committee on Europe and the sub-committee that he chairs and the opportunities for the devolved administrations to contribute to the explanatory memoranda as they are drawn up. Are you saying that that is a process that is working or is it patchy across departments again?

14:00

[65] **The First Minister:** It works, but we could do with more time to respond to the memoranda. We quite often get minimal time to respond. The process is that we will be consulted where there is a devolved issue at stake. The reality is, of course, that there is very little that is not devolved somewhere. The UK Government delivers very few services these days across the whole of the UK, so we expect to get that level of engagement.

[66] If I could explain, perhaps, some of the process by which explanatory memoranda work: we receive the draft memorandum from Whitehall, it is logged into our internal system—eternal system, almost—with details of what action is needed, it is forwarded then to relevant policy officials and copied to the relevant Brussels colleagues, then policy leads are invited to comment on the draft memorandum, those comments are copied straight to the UK, and then the final memorandum is sent to the divisional contacts in Welsh Government and copied to the relevant colleague in Brussels. All final explanatory memoranda, where there has been a Welsh Government policy implication or where an issue of subsidiarity, in fact, has been identified, are also sent to the Members' Research Service in the Assembly.

[67] **Julie James:** So, have you got any plans for those to become publicly available, or are you still regarding them as an administrative document in those terms?

[68] **The First Minister:** I can see no reason why they should not be made publicly available, if I am honest. The memoranda are mainly statements of information about Commission documents. Far more often than not, they do not need a contribution from us, necessarily, but I see no difficulty, as long as there are no sensitivities in terms of the confidentiality of the Commission documents themselves, for us, in time, to make those responses public.

[69] **Julie James:** My final set of questions is still around that working relationship and, perhaps, bringing in the United Kingdom Permanent Representation to the European Union as well. Are you happy that Wales is in a position to put its best foot forward, so to speak, with the current arrangements? We have had a couple of academics talk to us about the need to stay in with the UK Government, meaning that devolved Governments tread carefully and, perhaps, more lightly than they would like in order to maintain that relationship. Would you like to comment on some of those issues?

[70] **The First Minister:** I think that it is generally accepted by the UK Government and UKRep in particular that we will take a different view, particularly in the initial stages when policies are being formulated by the Commission. As I have said, our role is not to actively undermine the UK; our role is to put Wales's position forward in order to influence the UK's position, and that has worked well for the past 14 years. So, we have not been hamstrung in any way in terms of putting forward Wales's case, but we understand that there is a need to make sure that it is the UK that understands that case and puts it forward in order to strengthen Wales's case.

[71] **David Melding:** Eluned Parrott will take us through the final set of questions.

[72] **Eluned Parrott:** Thank you. First Minister, you have spoken about the way in which you influence the UK Government and the JMC and so forth, but may I ask when else you engage with the policy development process in Europe and with whom?

[73] **The First Minister:** Constantly. Our officials in Brussels engage with Commission officials, while Ministers and I engage with commissioners. So, that process is an ongoing process; it never stops.

[74] **Eluned Parrott:** Do you think that there are ways in which that could be more formalised or improved? For example, one contentious issue recently was on the trans-European transport networks proposals, and Commission officials, giving evidence to another committee here, suggested that you could have engaged directly with the Commission on that, but did not. Why was that?

[75] **The First Minister:** We did. If you look at the three different TEN-T schemes, you will see that we have engaged with all of them, and we are in a position where we are not at any disadvantage in terms of potential funding in the future because of the fact that we are not recognised as a corridor in terms of Europe. The scheme that they were talking about is a scheme that is aimed primarily at improving links between member states, so there may have been some misunderstanding in terms of how that would affect England and Wales, as opposed to what was thought at the time to be a scheme that was looking to link states with land borders. Nevertheless, it does not leave us at a disadvantage in terms of potential future funding.

[76] **Eluned Parrott:** So, that was not an area where the UK Government and the Welsh

Government were in disagreement.

[77] **The First Minister:** No, I am not aware of there being a disagreement between the different Governments on that.

[78] **Eluned Parrott:** Obviously, over the past few years there has been a real change in terms of the influence of the European Parliament on the policy development and decision-making process. Potentially, there has then been a very much stronger role for our MEPs. When we have spoken to our MEPs, they have told the committee that the Welsh Government could do more to support them by providing up-to-date communications on its position on key issues, to allow them to represent the Welsh Government's opinions more effectively. Do you think that that is something that the Welsh Government could do?

[79] **The First Minister:** I think that we already do that. There are regular meetings, and there have been for some time, between our officials and the MEPs collectively. That has been going on for many years. It was a practice originally established by Des Clifford. I attended one of those meetings on one occasion and they tended to work very well.

[80] **Eluned Parrott:** With regard to the guidance that civil servants are given in terms of their engagement with Europe, the Scottish Government told us that it has a guide on handling EU obligations, and I am wondering whether any similar guidance is available to Welsh civil servants.

[81] **The First Minister:** Yes, we do provide guidance to officials in a number of ways. There was a course held in October on 'EU law, understanding our roles and responsibilities'. That was part of it, and included sessions on influencing EU legislation, on transposition and on handling infraction cases. Similar courses will continue to be run in the future. We have drafted Government guidance with regard to EU legislation as well, and we have also ensured that officials have the contact details of those in the UK Government—important contacts in the UK Government—and the Commission. That guidance is going to be launched formally at the beginning, I believe, of next year, but at all times the EU policy branch is available to provide support and guidance to all Government departments in any event with regard to their interactions with Europe.

[82] **Eluned Parrott:** One of the things that I think was very striking about the Scottish Government's approach, which it discussed with us when it gave evidence, was the priority it gave to encouraging civil servants to take a secondment to other parts of the EU and, particularly, to take secondments in things like the Commission and departments there, so that it could strengthen the links and understand the ways of working more effectively. Is this something that you think we ought to expand? I understand the number of secondments from Wales has been in decline in recent years. Is that correct?

[83] **The First Minister:** No, we have got 30 on secondment at the moment¹. We have somebody with the Lithuanian presidency, and we will have somebody, subject to agreement, with the Latvian presidency. We do encourage staff to take up secondments; in fact, we produced a booklet for staff about two or three weeks ago, which I saw, encouraging staff to go to the Commission. We are also looking at ways to encourage students to go to the Commission. The UK's record in that regard has not been good over the years, mainly, I suspect, because the UK's record in terms of teaching mainland European languages has not been good in terms of take-up over the years. Nevertheless, I know that officials have been talking to the EU student ambassador in Cardiff University to encourage students from there to take up posts in the Commission as well. So, it is not just our officials here, but we are also ensuring that we have students from Wales who go to the Commission and gain the experience that they need, for example, if they wish to return to the Welsh Government in the future.

[84] **Eluned Parrott:** Are those secondment opportunities—thinking specifically of the civil service—specifically targeted in priority areas for the Welsh Government, or are they an opportunity that is available to people on request?

[85] **The First Minister:** I wonder, Rob, if you could come in on this. Certainly, historically, they have tended to be in those areas that are seen as the most European, if I can put it that way—agriculture being one of them, economic development being another, and environment being another area. I do not know if they are restricted in any way.

[86] **Dr Parry:** We get information about secondment opportunities through the relevant individual in the UK representation in Brussels. We advertise internally in the Welsh Government those posts that are of most relevance to us in terms of the policy areas.

[87] **Eluned Parrott:** The Scottish Government told us that it has four target areas in which it very specifically tries develop those secondment links. Is that the same approach as yours? How many target areas are we talking about for Wales?

[88] **Dr Parry:** It is largely random as to what posts become available. As vacancies appear, we form a judgment on which are relevant to the policy areas as determined in our EU strategy and set out by the First Minister. We cannot determine necessarily that we are going to put a person in a portfolio in a certain time frame; it is just a question of what opportunities arise, and whether we think that they are of relevance to the Welsh Government.

[89] **Eluned Parrott:** Okay, thank you. Did you want to—

[90] **David Melding:** I have two supplementary questions. Suzy is first, then Julie.

[91] **Suzy Davies:** I just wondered, First Minister, if I could take you back to your answer to Eluned Parrott about the means by which Welsh Government engages with the MEPs. I think that the point was that their landscape has changed now and that they have a lot more power than they used to. They concluded that the existing system was not working as well as it had in the past. Are you sure that you could not consider looking at the current system to see if it can be improved?

[92] **The First Minister:** If suggestions for improvement could be made to us, we would look at them. What has been noticeable, oddly enough, about the meetings with the MEPs is that they meet collectively with our officials, and there is no suggestion of one taking advantage over another; it has been quite noticeable over the years. If they feel that there are ways in which the engagement could be improved, we are willing to listen to the suggestions they may have.

[93] **Suzy Davies:** That is great; thank you.

[94] **David Melding:** May I probe that from another direction? I wonder if things have changed very much between before 2009 and after it, because core decision making from the Lisbon treaty has really taken off and I think that it has been quite a surprise to people observing the European Parliament just how powerful it is becoming. So, has your practice changed in any way? Is there sometimes a certain reluctance to use the political voice of the MEPs too stridently on issues of key concern to us? One perhaps could think about regional policies, and possible repatriation was discussed, and the amount of money for it in the programme, because a lot of your efforts are aimed at the JMCE, and you do not want to be all confused about saying one thing to Peter and another thing to Paul. How does that balance get struck?

[95] **The First Minister:** If we use structural funds as one example, I am certainly aware that the MEPs collectively were briefed in terms of Wales's position, and they collectively took a view with regard to that position and advocated Wales's position. So, there will be occasions when we will need to mobilise the MEPs in order to make sure that Wales's voice is heard in the European Parliament when determining, for example, the issue of structural funds.

[96] **David Melding:** Do you feel that that is kind of understood among the other Governments of the UK, that it is such a big interest for Wales that you would be likely to pursue the case, rather than—

[97] **The First Minister:** Yes, it is. There is no suggestion that, somehow, we are expected not to say anything. It is widely accepted that we will have different interests in Wales, and that our MEPs will represent those interests.

[98] **David Melding:** I think that that is interesting evidence for us. Julie is next.

[99] **Julie James:** My question follows on from that, Chair. It just struck me when you were talking about the secondment opportunities, and so on, that I am not at all aware of how we influence and track some of the more technical directives that are also subject to change and affect us very significantly, such as the fisheries directive or the procurement directive. So, I wonder whether we target particular bits of the Parliament, Commission or the Council, depending on where that directive is coming from and where the opinions are coming from, in terms of our engagement and possible secondments, and so on.

[100] **The First Minister:** Officials have been very good at identifying issues as they arise, and they are experienced. For example, Andy Aggett, who is responsible for the rural affairs brief, has been in Brussels for many years, and understands the system very well. He knows the people to talk to, and that certainly helps tremendously in terms of feeding back intelligence to us, and also in influencing the process of policy development in the Commission.

[101] **Simon Thomas:** Un cwestiwn sydd gen i. A ydych yn teimlo bod y Cynulliad yn craffu ar waith Ewrop ddigon?

Simon Thomas: I have just one question. Do you feel that the Assembly scrutinises the work of the EU enough?

[102] **Y Prif Weinidog:** Nid wyf yn credu bod hynny yn rhywbeth i mi; mae'n rhywbeth i'r Cynulliad ei hunan.

The First Minister: I do not believe that that is a matter for me; it is something for the Assembly itself.

[103] **Simon Thomas:** Rydych yn Aelod Cynulliad hefyd.

Simon Thomas: You are also an Assembly Member.

[104] **Y Prif Weinidog:** Mae hynny'n wir, ond mewn ffordd rwyf ar yr ochr arall efallai. Mae'n anodd, achos nid ni sydd yn rheoli amserlen y pethau hyn, ond buaswn i'n dweud y byddai'n beth da dros ben petai'r Cynulliad yn cael mwy o gyfle i graffu ar reoliadau Ewropeaidd, gan ystyried, wrth gwrs, yr amserlen y mae'n gweithio iddi. Nid wyf yn mynd i ddadlau y dylid cael llai o graffu dros y blynyddoedd.

The First Minister: That is true, but in a way I am perhaps on the other side. It is difficult, because we do not control the schedule of these things, but I would say that it would be exceptionally good if the Assembly had a greater opportunity to scrutinise the European regulations, taking into account, of course, the timetable that it is working to. I am not going to argue that there should be less scrutiny over the years.

14:15

[105] **David Melding:** May I finish with a slightly technical question that has been raised by some people? The nomination process for the Committee of the Regions and the European Economic and Social Committee is a bit clumsy. I suspect that you have not had cause to nominate anyone yet—I may be wrong there.

[106] **The First Minister:** I have, yes.

[107] **David Melding:** Oh, you have, okay. Then you can answer the question directly. Is it clumsy and slow or do you think that it works okay? Would you like to see a different system?

[108] **The First Minister:** It is too slow. It would certainly help if it were faster. It is slow because it involves us nominating somebody for approval by the UK Government, and then the nomination goes from there. I think that I am right in saying that in terms of the process. Robert?

[109] **Dr Parry:** Yes.

[110] **The First Minister:** Whenever there are a number of hands on any process, it takes a little longer than it should. In an ideal world, we would be able to nominate directly.

[111] **David Melding:** It can take quite a long time, can it not? It can take six or nine months sometimes.

[112] **The First Minister:** Yes, it can.

[113] **David Melding:** However many procedures there are, we are not—

[114] **The First Minister:** I was, I think, the first nominee ever, back in 1999, for the Committee of the Regions. However, I never went, because the nomination was not approved in time. I ended up being in the Cabinet first.

[115] **David Melding:** Yes, that is interesting. Eluned?

[116] **Simon Thomas:** Just think what could have happened. [*Laughter.*]

[117] **Eluned Parrott:** I wanted to ask about our participation in the Committee of the Regions and the European Economic and Social Committee. How influential are those bodies now in the policy-making process in Europe, particularly since the Treaty of Lisbon? Has the balance of power changed? Do we get the return on investment that we used to get from those?

[118] **The First Minister:** I think that we do. For example, I know of at least two occasions when Members have written papers. Rhodri Glyn Thomas is one and Mick Antoniwi is another, even though he has only been there for a short time as a member. They have produced opinions for the Committee of the Regions. We are now seen as one of the leading regions, if I can put it that way. I do not know whether this is true or not, but the impression that has certainly been given to me is that Scotland has detached itself slightly from the process, because it does not see itself as a region in the same way. We, together with Catalonia, Flanders and the Basque Country are now, I think, seen as regional leaders, if I can put it that way, within Europe.

[119] **Eluned Parrott:** What happens to those opinions once they have been developed?

[120] **The First Minister:** They would be placed before the committee for debate, and ultimately for decision. I think that part of the problem with the Committee of the Regions is that different member states take different views on their own regional Governments. The UK tends to be fairly flexible in terms of the participation of the devolved administrations, but not every country is like that. That, I think, means that the committee is perhaps not as influential or as powerful as it might be, because of the different views of different member states.

[121] **David Melding:** I think that that finishes our questioning, First Minister, unless there is anything that you would like to add by way of evidence. I think that we have had a good session.

[122] **The First Minister:** Thank you, Chair.

[123] **David Melding:** I see that you are content as well, which is good. It just remains for me to thank you for your attendance this afternoon. We appreciate your time; you have really helped us with this important inquiry. Thank you.

14:18

**Offerynnau nad ydynt yn Cynnwys Materion i Gyflwyno Adroddiad arnynt o
dan Reol Sefydlog 21.1 na 21.3
Instruments that Raise no Reporting Issues under Standing Order 21.1 or 21.3**

[124] **David Melding:** These items raise no reporting issues, but they are, however, listed. Do Members have any comments? I see not.

14:19

**Cynnig o dan Reol Sefydlog 17.42 i Benderfynu Gwahardd y Cyhoedd o'r
Cyfarfod
Motion under Standing Order 17.42 to Resolve to Exclude the Public from the
Meeting**

[125] **David Melding:** I move that

the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order 17.42(ix).

[126] I see that no Member objects. Please switch off the broadcasting equipment and clear the public gallery.

*Derbyniwyd y cynnig.
Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 14:19.
The public part of the meeting ended at 14:19.*

¹ There have been over 30 secondments to the Commission since the beginning of devolution.